

09/28/03  
02527 U.S. PTO

Practitioner's Docket No. CHOND. 65022

PATENT

Preliminary Classification:

Proposed Class:

Subclass:

22369 U.S. PRO  
2210/650556  
09/28/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Harold Aberman, Timothy Simon and Douglas Jackson

- For (title): CARTILAGE REPAIR PLUG

1. Type of Application

This application is for a divisional.

2. Benefit of Prior U.S. Application (35 U.S.C. § 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION IS CLAIMED.

4615.1

EXPRESS MAILING UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is mandatory.)

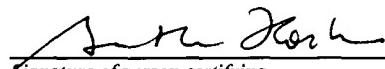
(Express Mail certification is optional)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date, August 28, 2003, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV 320199456US.

GUNTHER O. HANKE

Type or print name of person mailing paper

Date: 8/28/03

  
Signature of person certifying

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

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**3. Papers Enclosed**

- A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design)  
Application

56 Page(s) of Specification  
3 Page(s) of Claims  
13 Sheet(s) of Drawing(s)--Formal

- B. Other Papers Enclosed

7 Page(s) of declaration and power of attorney  
1 Page(s) of abstract

**4. Additional Papers Enclosed**

Preliminary Amendment

Information Disclosure Statement (37 C.F.R. § 1.98)

**5. Declaration or Oath**

Enclosed

Executed by: Harold Aberman, Timothy Simon and Douglas Jackson.

**6. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**7. Language**

English

**8. Assignment**

An assignment of the invention to Ultra Tec Manufacturing, Inc. is attached.

**9. Fee Calculation (37 C.F.R. § 1.16)**

Regular Application, Small Entity

CLAIMS AS FILED						
					Basic Fee	
					37 C.F.R. § 1.16(a)	
Number Filed	Number Extra	Rate			\$375.00	
Total Claims (37 C.F.R. §	4	-	20	=	0	x \$ 9.00 = \$ 0.00

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1.16(c))

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Independent Claims (37 C.F.R § 1.16(b))	1	-	3	=	0	x \$ 42.00	= \$ 0.00
Multiple Dependent Claim(s), if any (37 C.F.R § 1.16(d))					\$ 140.00		\$ 0.00

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Amendment cancelling extra claims is enclosed.

Small Entity Filing Fee Calculation	\$375.00
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**10. Fee Payment Being Made at This Time**

Enclosed

Filing Fee	\$375.00
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<b>Total Fees Enclosed</b>	<b>\$375.00</b>
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**11. Method of Payment of Fees**

Attached is a check in the amount of \$375.00.

Charge any additional fees required by this filing or credit any overpayment to our Deposit Account No. 21-0800.

**12. Instructions as to Overpayment**

Credit Account No. 21-0800.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATION IS CLAIMED  
(37 C.F.R. § 1.78)**

**13. Relate Back**

Amend the specification by inserting, before the first line following the title, the following sentence:

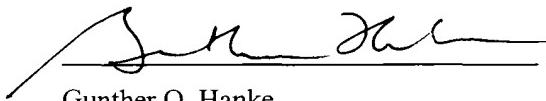
**A. 35 U.S.C. Sections 120, 121 and 365(c)**

"This application is a divisional of copending Application Number 09/797,444 filed on February 28, 2001."

**14. Further Inventorship Statement Where Benefit of Prior Application(s) is/are Claimed**

- (a) This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.

Date: 8/28/03



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